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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CHRISTOPHER BRYAN and HERIBERTO VALIENTE, individually and on behalf of all others similarly situated,

Plaintiffs,

V.

APPLE INC., a California corporation,

Defendant.

Case No. 4:22-cv-00845-HSG

**JOINT STIPULATION TO
ACCELERATE TIME FOR HEARING
ON DEFENDANT'S MOTION TO STAY
DISCOVERY**

1 Pursuant to Civil Local Rule 6-2, Plaintiffs Christopher Bryan and Heriberto Valiente
2 (“Plaintiffs”) and Defendant Apple Inc. (“Apple”), by and through their undersigned counsel, hereby
3 stipulate as follows:

4 WHEREAS, this action was filed in the United States District Court for the Northern District
5 of California on February 9, 2022;

6 WHEREAS, on February 14, 2022, the Court scheduled the initial case management
7 conference to occur on May 17, 2022 at 2 p.m.;

8 WHEREAS, Apple filed a motion to dismiss the Complaint on April 8, 2022;

9 WHEREAS, Plaintiffs filed a First Amended Complaint on April 22, 2022;

10 WHEREAS, Apple filed a motion to dismiss the First Amended Complaint (the “Motion to
11 Dismiss”) on May 11, 2022;

12 WHEREAS, Plaintiffs filed their Opposition to the Motion to Dismiss on May 20, 2022;

13 WHEREAS, Defendant filed their Reply in support of the Motion to Dismiss on May 27,
14 2022;

15 WHEREAS, on May 12, 2022 the Court rescheduled the initial case management conference
16 originally scheduled to occur on May 17, 2022, and ordered that the conference and the hearing on
17 the Motion to Dismiss would jointly occur on November 3, 2022, before Judge Haywood S. Gilliam,
18 Jr. at 2:00 p.m., in Courtroom 2, 4th Floor, 1301 Clay Street, Oakland, CA;

19 WHEREAS, on June 2, 2022, the parties filed their Joint Stipulation to Accelerate Time for
20 Initial Case Management Conference and Motion to Dismiss, requesting an order to combine and
21 hear these matters at an earlier time;

22 WHEREAS, on June 7, 2022, the Court ordered that the initial case management conference
23 and the hearing on the Motion to Dismiss will occur jointly on July 21, 2022 at 2:00 p.m. in
24 Courtroom 2, 4th Floor, 1301 Clay Street, Oakland, CA;

25 WHEREAS, on June 16, 2022, Apple filed its Motion to Stay Discovery with a hearing date
26 set for October 13, 2022;

27 WHEREAS, Plaintiffs filed their Opposition to the Motion to Stay Discovery on June 22,
28 2022, and Apple filed its Reply in support of the Motion to Stay Discovery on June 30, 2022;

1 IT IS HEREBY STIPULATED AND AGREED by the undersigned parties, through their
2 counsel, that they jointly request the Court enter an order accelerating the time for the hearing on the
3 Apple's Motion to Stay Discovery to occur on July 21, 2022 at 2:00 p.m. in Courtroom 2, 4th Floor,
4 1301 Clay Street, Oakland, CA at the same time as the hearing on the Motion to Dismiss and the
5 Initial Case Management Conference.

6
7 Dated: July 12, 2022

Respectfully submitted,

8
9 **BURSOR & FISHER, P.A.**

10 By: /s/ L. Timothy Fisher

11 L. Timothy Fisher
12 Attorneys for Plaintiffs

13 Dated: July 12, 2022

14 **O'MELVENY & MYERS LLP**

15 By: /s/ Matthew D. Powers

16 Matthew D. Powers
17 Attorneys for Defendant

18
19 **SIGNATURE ATTESTATION**

20 Pursuant to Local Rule 5-1(h)(3) regarding signatures, I, L. Timothy Fisher, attest that
21 concurrence in the filing of this document has been obtained by the other signatory to this document.

22 By: /s/ L. Timothy Fisher

23 L. Timothy Fisher

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the Motion to Stay discovery will be heard on July 21, 2022 at 2:00 p.m in Courtroom 2, 4th Floor, 1301 Clay Street, Oakland, CA.

Dated: 7/13/2022

Haywood S. Gilliam, Jr.
Hon. Haywood S. Gilliam, Jr.

Hon. Haywood S. Gilliam, Jr.
United States District Judge